

MEMORANDUM

March 19, 1970

TO: Boston Redevelopment Authority
FROM: John D. Warner, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Re: Petition No. Z-1800
Joseph Cuniff, Charles Murphy and
Daniel Harold
5-11 McBride Street, Jamaica Plain

Petitioner seeks an extension of a non-conforming use and four variances to erect a one story addition to a cafe in a Residential (R-.8) and a Local Business (L-1) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 9-1	The extension of a non-conforming use requires a Board of Appeal hearing. The extension would exceed 25% of the area of the existing non-conforming use.		
Sect. 14-2	Lot area for additional unit is insufficient	1500 sf/u	0
Sect. 15-1	Floor area ratio is excessive	0.8	0.85
Sect. 19-1	Side yard is insufficient	10 ft.	2 ft.
Sect. 20-1	Rear yard is insufficient	40 ft.	0

The property, located on McBride Street near the intersection of Centre Street, contains a one story frame structure. The petitioner proposes to erect a one story concrete block addition to the rear of an existing cafe. An existing 18 foot rear yard would be eliminated. The proposed extension would be inconsistent with the residential nature of the adjacent two and three family neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-1800, brought by Joseph Cuniff, Charles Murphy and Daniel Harold, 5-11 McBride Street, Jamaica Plain, for an extension of a non-conforming use and variances of insufficient lot area for additional unit, side yard, rear yard and excessive floor area ratio to erect a one story addition to a cafe in a Residential (R-.8) and a Local Business (L-1) district, the Boston Redevelopment Authority recommends denial. An existing 18 foot rear yard would be eliminated. The proposed extension is unreasonable and would be incompatible with the residential nature of the adjacent two and three family neighborhood.

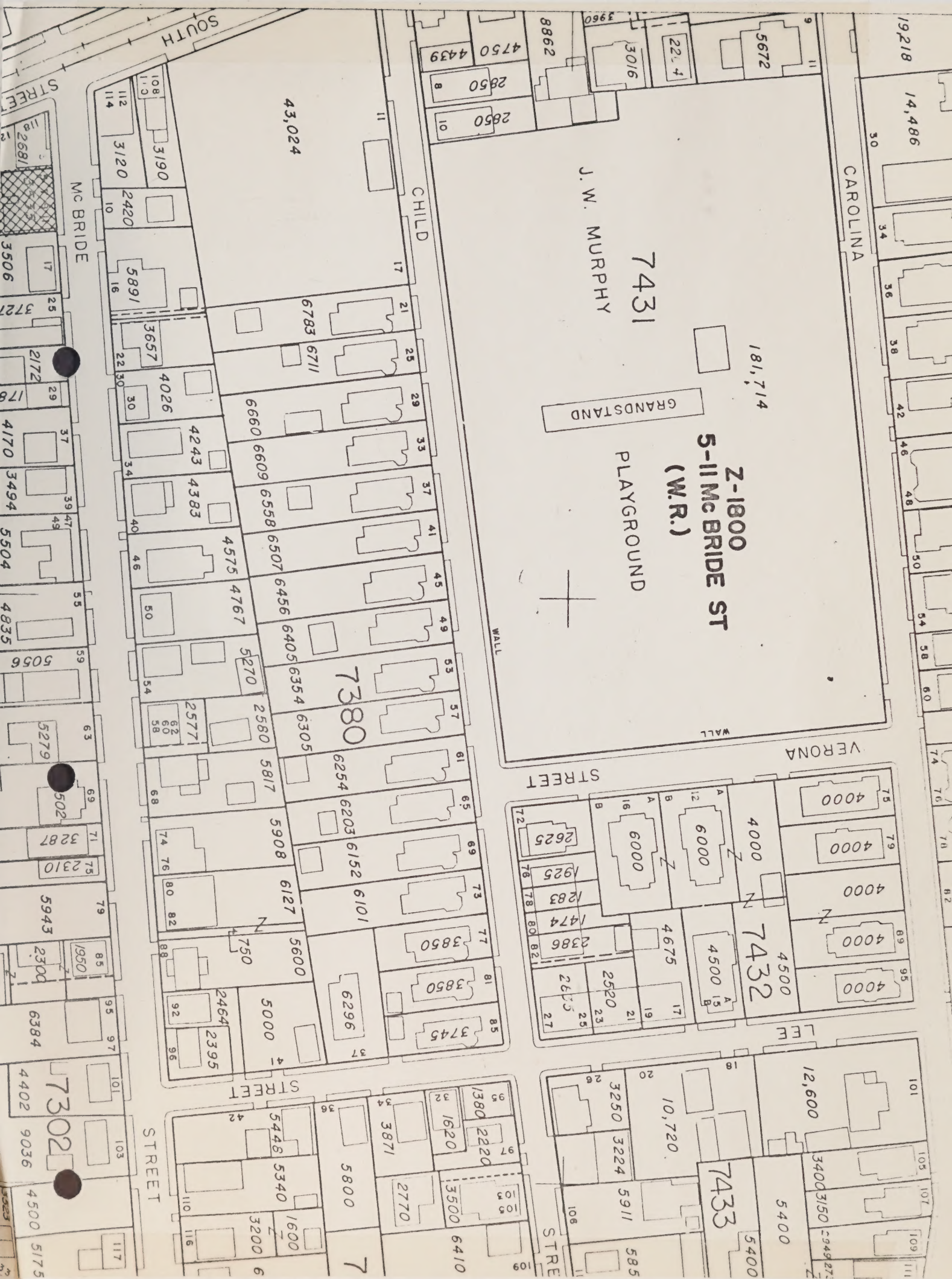
Re: Petitions Nos. Z-1801-Z-1802
Anthony J. & John Pellegrino
225 Emerson & 691 East Fourth Streets
South Boston

Petitioner seeks a change in two non-conforming uses for a change of occupancy from 12 garages to storage of contractor's equipment and from two stores to contractor's offices in an Apartment (H-1) district. The proposal would violate the code as follows:

Sect. 9-2 A change in a non-conforming use requires a Board of Appeal hearing.

The property, located at the intersection of Emerson and East Fourth Streets, contains a two story frame structure and twelve one story concrete block garages. The property is also located opposite a City of Boston Fire Station and the site for the proposed Hart-Dean School which is now scheduled for completion at the end of next year. The petitioner would store equipment and materials on open land and vehicles. The proposal would be undesirable and would generate heavy commercial traffic in a residential neighborhood. Recommend denial.

VOTED: That in connection with Petitions Nos. Z-1801-Z-1802, brought by Anthony J. and John Pellegrino, 225 Emerson Street and 691 East Fourth Street, South Boston, for a change in two non-conforming uses for a change of occupancy from 12 garages to storage of contractor's equipment and from two stores to contractor's offices in an Apartment (H-1) district, the Boston Redevelopment Authority recommends denial. The property is located opposite a City of Boston Fire Station and the site for the proposed Hart-Dean School scheduled for completion at the end of next year. The proposal would be undesirable and would generate heavy commercial traffic in a residential neighborhood.



EAST

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753 757 759 761 763 765 767 769 771 773

1965 3750 3875 3692 3808

66A 68 70

SOUTH BAPTIST CHURCH 12,500 80

6250 6416 3142 2587

742 744 746 748 750 752 754

[illegible]

The floor plan shows a building with the following layout:

- Top Section:** A large hall labeled "HALL PLACE" with a "CULER" (likely a cooler or storage area) and a "COURT" area. There are several rooms with numbers: 659, 588, 2014, 103, 4125, 658, 3724, 3288, 654, 656, 652, 657, 1586, 657, 1586, 1826, 1065, 3901, 1105, 949, 1086, 6768, 1390, 650, 1670, 648.
- Bottom Section:** A large area labeled "Z-1801-02" and "225 EMERSON ST. (S.B.)". There is a "COURT" area and a "HALL PLACE" area. There are several rooms with numbers: 35, 358, 3145, 652, 650, 648, 1670, 1390, 650, 1670, 648.

The plan includes a scale bar at the bottom, indicating distances in feet (0, 10, 20, 30, 40, 50, 60, 70, 80, 90, 100).

653 309	651 309	4250	645	641 27	639 27	637 289	635 286	633 246	631 1706	1847	629	627 148
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Map showing a residential area with streets labeled EMERSON, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th. The map includes lot numbers and house numbers. A large area is shaded with a cross-hatch pattern, possibly indicating a park or undeveloped land. A large black circle is drawn on the map, centered around the intersection of 11th and 12th streets.

[illegible]

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Re: Petition No. Z-1803
Thomas Diminico, Administrator
46 Chestnut Avenue, Jamaica Plain

Petitioner seeks a Forbidden Use Permit for a change of occupancy from a two family dwelling to an office in a Residential (R-.8) district. The proposal would violate the code as follows:

Sect. 8-7 An office is Forbidden in an R-.8 district.

The property, located on Chestnut Avenue at the intersection of Hoffman Street, contains a 2½ story frame dwelling. The petitioner proposes to utilize the dwelling as an office in connection with a sheet metal business. The proposed commercial use of a residential structure would be inappropriate and an encroachment on this family neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-1803, brought by Thomas Diminico, 46 Chestnut Ave., Jamaica Plain, for a Forbidden Use Permit for a change of occupancy from a two family dwelling to a sheet metal contractor's office in a Residential (R-.8) district, the Boston Redevelopment Authority recommends denial. The proposed commercial use of a residential structure would be inappropriate and an encroachment on this three family neighborhood.



Re: Petitions Nos. Z-1806-Z-1808
Shelter Realty Trust
221 E & 165-167 Tudor Streets
South Boston

Petitioner seeks seven variances to erect three one family dwellings and subdivide a lot in an Apartment (H-1) district. The proposal would violate the code as follows:

		Req'd.	Proposed
<u>221 E Street</u>			
Sect. 14-1	Lot area is insufficient	5000 sf	1755 sf
Sect. 18-3	Corner traffic visibility is insufficient		
Sect. 18-4	Front yard is insufficient	20 ft.	2 ft.
<u>165 Tudor Street</u>			
Sect. 14-1	Lot area is insufficient	5000 sf	2043 sf
Sect. 18-1	Front yard is insufficient	20 ft.	5 ft.
<u>167 Tudor Street</u>			
Sect. 14-1	Lot area is insufficient	5000 sf	2043 sf
Sect. 18-1	Front yard is insufficient	20 ft.	5 ft.

The properties, located on E Street at the intersection of West Seventh Street and on Tudor Street near the intersection of E Street, contain 1755 square feet and 4087 square feet respectively. The properties are former Infill lots presently owned by the Authority. The petitioner, who has been designated as developer, would erect three one family pre-fabricated frame dwellings. The buildings would also be utilized for demonstration purposes. The staff recommends that the proposed dwelling on E Street be set back approximately four feet to provide some corner traffic visibility. Recommend approval with proviso.

VOTED: That in connection with Petitions Nos. Z-1806-Z-1808, brought by Shelter Realty Trust, 221 E and 165-167 Tudor Streets, South Boston, for variances of insufficient lot area, front yard and corner traffic visibility to erect three one family dwellings in an Apartment (H-1) district, the Boston Redevelopment Authority recommends approval provided that the proposed dwelling on E Street be set back approximately four feet to provide some corner traffic visibility. The dwelling would be erected on former Infill lots and would also be utilized for demonstration purposes.



Re: Petition No. Z-1810
Boston Five Cents Savings Bank
10-30 School Street, Boston

Petitioner seeks a variance to revise plans and eliminate an off-street loading bay from a bank and office addition in a General Business (B-10) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 24-1 Off-street loading is insufficient	1 bay	0

The property, located on School Street between Province and Washington Streets, contains a bank and office building. An addition to the bank is presently in the process of construction. The petitioner would eliminate a proposed loading bay in the rear on Harvard Place, a private way only ten feet wide. The required loading bay would increase truck activity on Harvard Place. Vehicles entering and leaving Harvard Place are hazardous to pedestrian and vehicular traffic on Washington Street and should be limited. The staff recommends that vehicular traffic on Harvard Place be limited only to those vehicles serving the abutting structures. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-1810, brought by Boston Five Cents Savings Bank, 10-30 School Street, Boston, for a variance of insufficient off-street loading to revise plans and eliminate an off-street loading bay, the Boston Redevelopment Authority recommends approval provided that vehicular traffic on Harvard Place be limited only to those vehicles serving the abutting structure. Vehicles entering and leaving Harvard Place are hazardous to pedestrian and vehicular traffic on Washington Street and should be limited.

Withdrawn

Re: Petition No. Z-1797
Trustees of Boston College
25 South Street, Brighton

Petitioner seeks a Conditional Use Permit and two variances for a change of occupancy from a three family dwelling to a dormitory for 31 students in an Apartment (H-1) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A dormitory not upon the same lot as but accessory to, is a Conditional Use in an H-1 district		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	100 sf/du	0
Sect. 23-1	Off-street parking is insufficient	5 spaces	0

The property, located on South Street near the intersection of Commonwealth Avenue, contains a three story brick duplex structure. The proposed dormitory for 31 students would utilize the right side of this duplex structure. The left side is privately owned and is occupied. The intrusion of a dormitory into a stable residential neighborhood is incongruous. No provisions have been made for off-street parking nor do any off-street parking facilities exist in the surrounding area. The quality of the adjacent residential properties would be seriously effected by the proposal. Recommend denial.

VOTED: That in connection with Petition No. Z-1797, brought by the Trustees of Boston College, 25 South Street, Brighton, for a Conditional Use Permit and variances of insufficient lot area for additional dwelling unit and off-street parking for a change of occupancy from a three family dwelling to a dormitory for 31 students in an Apartment (H-1) district, the Boston Redevelopment Authority recommends denial. The intrusion of a dormitory into this residential neighborhood is incongruous. No off-street parking facilities exist in the surrounding area. The quality of adjacent residential properties would be seriously effected by the proposal.



Z-1797
25 SOUTH ST.
(BRI.)

PARKING
12,385

RESEVOIR ROAD
PARKING 13,680

M.B.T.A.

COMMONWEALTH

SOUTH

CHESTNUT

ROAD

RADNOR

621,505

17,829

11,626

12,297

12,102

11,413

6530

8375

9969

7031

8727

9127

8256

741

229 231 235

29,972

49,103

1970

1957

1953

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Re: Petition No. Z-1804
Jean Bartolo
164-170 Sumner Street, East Boston

Petitioner seeks three variances to erect a two story restaurant in a Local Business (L-1) district. The proposal would violate the code as follows:

	Req'd.	Proposed
Sect. 15-1 Floor area ratio is excessive	1.0	2.4
Sect. 20-1 Rear Yard is insufficient	20 ft.	0
Sect. 23-4 Off-street parking is insufficient	17 spaces	0

The property, located on Sumner Street near the intersection of Paris Street, contains 3600 square feet of vacant land. The staff has no objection to the use. However, because of the unique character of the buildings adjacent to this lot and also in the Maverick Square area (brick, 3 story), any new building should be of a similar nature. There are no provisions for off-street parking in this congested area. At least ten feet should be provided as a rear yard setback. The petitioner should submit detailed plans to the Authority for design review approval. Recommend denial as submitted.

VOTED: That in connection with Petition No. Z-1804, brought by Jean Bartolo, 164-170 Sumner St., East Boston for variances of excessive floor area ratio, insufficient rear yard and off-street parking to erect a two story restaurant in a Local Business (L-1) district, the Boston Redevelopment Authority recommends denial. There is no objection to the use. However, because of the unique character of the buildings adjacent to the property and also in the Maverick Square area, any new building should be of a similar nature. A rear yard of at least ten feet should be provided. The petitioner should submit detailed plans to the Authority for design review approval.



2124

Z-1804
164-170 SUMNER ST.
(E.B.)

HAVRE

PARIS

HENRY

MAVERICK

OUR SAVIOUR'S
CHURCH

MAVERICK
STATION
M.T.A.

2061

2063

2064

2065

STREET

MEMORANDUM

March 19, 1970

TO: Boston Redevelopment Authority
FROM: John D. Warner, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Re: Petition No. Z-1811
Charles W. Grady
7 Allston Street, Charlestown

Petitioner seeks a Forbidden Use Permit and two variances for a change of occupancy from a three family dwelling to a four family dwelling in an Apartment (H-1) district. The proposal would violate the code as follows:

Sect. 8-7 Any dwelling converted for more families not meeting $\frac{1}{2}$ the requirements of lot area per dwelling unit and open space is Forbidden in an H-1 district.

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 14-1 Lot area for additional dwelling unit is insufficient	1000 sf/du	0
Sect. 17-1 Open space is insufficient	400 sf/du	585 sf/d

The property, located on Allston Street near the intersection of Bunker Hill Street in the Charlestown Urban Renewal Area, contains a three story brick structure. The basement and first floor presently utilized as one apartment would be separated into two apartments. The petitioner has indicated to the staff that he would lease two of the proposed four apartments to the Boston Housing Authority for Elderly Housing. The existing open space violation would be increased only minimally. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-1811, brought by Charles W. Grady, 7 Allston St., in the Charlestown Urban Renewal Area, for a Forbidden Use Permit and variances of insufficient lot area for additional dwelling unit and open space for a change of occupancy from a three family dwelling to a four family dwelling in an Apartment (H-1) district, the Boston Redevelopment Authority recommends approval provided that two of the proposed four units would be leased to the Boston Housing Authority for Elderly Housing. The petitioner is amenable to this condition. The open space violation would be increased only minimally.



Z-1811
7 ALLSTON ST.
(CHAR)

PRESCO
EL. SCH
(ABANDON)

48,000

23,444

2564

75

Re: Petition No. Z-1812
Charles Carroll
117-119 Neponset Avenue, Dorchester

Petitioner seeks a change in a non-conforming use for a change of occupancy from a paint and wallpaper store to a paint shop in a Residential (R-.8) district. The proposal would violate the code as follows:

Sect. 9-2 A change in a non-conforming use requires a Board of Appeal hearing.

The property, located on Neponset Avenue at the intersection of King Street, contains a one story brick structure. The neighborhood is residential two and three family. The proposed paint shop is undesirable and inappropriate. The surrounding residences would be seriously affected by the encroachment of the proposed industrial use. Recommend denial.

VOTED: That in connection with Petition No. Z-1812, brought by Charles Carroll, 117-119 Neponset Avenue, Dorchester, for a change in a non-conforming use for a change of occupancy from a paint and wallpaper store to a paint shop in a Residential (R-.8) district, the Boston Redevelopment Authority recommends denial. The proposed paint shop is undesirable and inappropriate in this residential two and three family neighborhood. The surrounding residences would be seriously affected by the encroachment of the proposed industrial use.



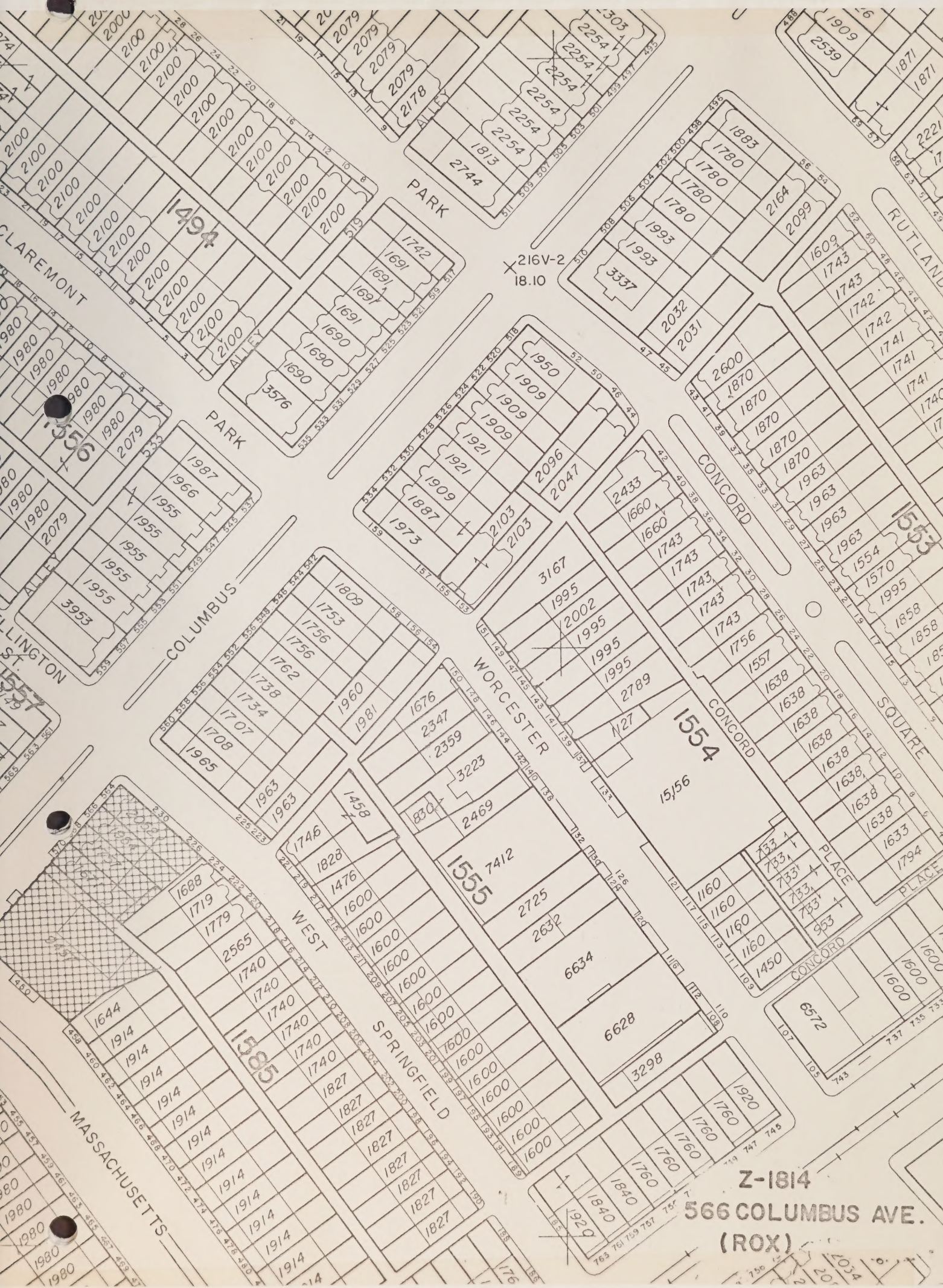
Re: Petition No. Z-1814
United South End Settlements
566 Columbus Avenue, Boston

Petitioner seeks two variances to erect a three story community center and day care nursery in a General Business (B-2) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 20-1 Rear yard is insufficient	20 ft.	0
Sect. 23-2 Off-street parking is insufficient	26 spaces	7 spaces

The property, located on Columbus Avenue between West Springfield Street and Massachusetts Avenue, in the South End Urban Renewal Area, contains two three story brick structures which would be demolished. The proposed day care nursery would accommodate 60 children. The proposal would provide a much needed and a beneficial service to the residents of the community. The off-street parking violation would be mitigated by the proximity of public transportation. Recommend approval.

VOTED: That in connection with Petition No. Z-1814, brought by United South End Settlements, 566 Columbus Avenue, Boston, in the South End Urban Renewal Area, for variances of insufficient rear yard and off-street parking to erect a three story community center and day care nursery in a General Business (B-2) district, the Boston Redevelopment Authority recommends approval. The proposal would provide a much needed and a beneficial service to the residents of the community. The off-street parking violation would be mitigated by the proximity of public transportation.



Z-1814
566 COLUMBUS AVE.
(ROX)

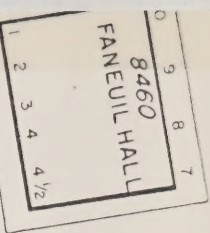
Re: Petition No. Z-1815
Joseph W. Mazzini
4-6-8- Commercial Street, Boston

Petitioner seeks a variance for a change of occupancy from offices and sales and storage of fruit to two stores and a one family dwelling in a General Business (B-8) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 17-1 Open space is insufficient	50 sf/du	0

The property, located on Commercial Street at the intersection of Chatham Street in the Waterfront Urban Renewal Area, contains a two story brick structure. The petitioner proposes to rehabilitate the entire structure. The proposal would enhance the area and would be consistent with the objectives of the Waterfront Urban Renewal Plan. Recommend approval.

VOTED: That in connection with Petition No. Z-1815, brought by Joseph W. Mazzini, 4-6-8 Commercial Street, Boston, in the Waterfront Urban Renewal Area, for a variance of insufficient open space for a change of occupancy from offices and sales and storage of fruit to two stores and a one family dwelling in a General Business (B-8) district, the Boston Redevelopment Authority recommends approval. The proposed occupancy would enhance the area and would be consistent with the Waterfront Urban Renewal Plan.



MERCHANTS

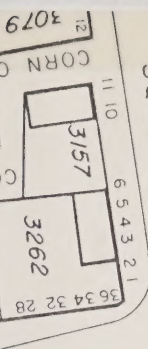
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MARKET

COMMERCIAL

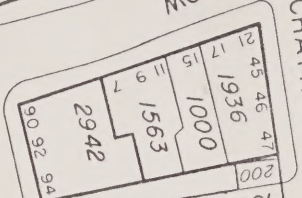
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ANEUIL HALL
SQUARE



CHATHAM

ROW

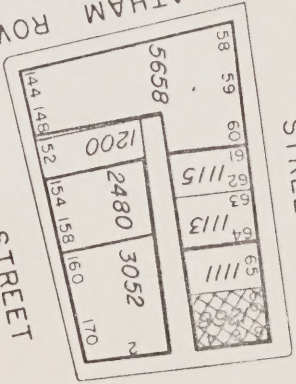


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BROAD

CHATHAM ROW

STREET

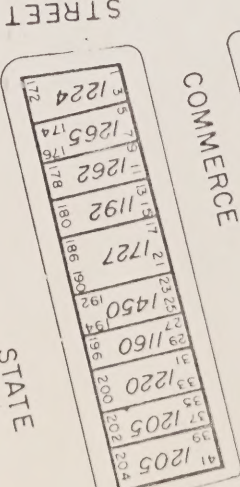


STREET

STREET

COMMERCE

STATE



AVENUE



KILBY

DOANE

STREET

STREET

INDIA

Mc KINLEY
SQUARE

CENTR

MILK

Z-1813
4-6-8 COMMERCIAL ST.
(B.P.)

